

**REAL ESTATE BOARD
MINUTES OF MEETING**

July 13, 2006

The Real Estate Board met at the Department of Professional and Occupational Regulation, 3600 W. Broad Street, Richmond, Virginia. The following Board members were present:

R. Schaefer Oglesby, Chairman
Nathaniel Brown (arrived at 9:27 AM)
Judith L. Childress
Carol Clarke
Florence Daniels
Sharon Johnson
Miles Leon
Byrl Taylor

Board Member Marjorie Clark was not present.

DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director
Karen O'Neal, Deputy Director
Christine Martine, Executive Director
Tammie Hall, Education Administrator
Liz Hayes, Fair Housing Administrator
Tom Perry, Property Registration Administrator
Ilona LaPaglia, Legal Analyst
Chris Olson, Administrative Assistant

Tom Payne and Eric Gregory from the Office of the Attorney General were present.

Chairman Oglesby called the meeting to order at 9:16 AM.

Call to Order

Jill Jordan addressed the Board during the **Public Comment period**. Ms. Jordan stated her concerns with the reciprocity application and the Board's requirement that a license must be deemed substantially equivalent in order to be accepted by reciprocity.

Public Comment Period

A motion was made by Ms. Johnson and seconded by Ms. Clarke to approve the agenda. The motion passed unanimously. Members voting "Yes" were Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Agenda

A motion was made by Ms. Clarke and seconded by Ms. Johnson to adopt the following minutes: May 4, 2006, Informal Fact-Finding Conference; May 10, 2006, Informal Fact-Finding Conference; May 10, 2006, Education Committee Meeting; May 11, 2006, Real Estate Board Meeting; May 16, 2006, Informal Fact-Finding Conference; May 18, 2006, Informal Fact-Finding Conference; May 25, 2006, Informal Fact-Finding Conference; June 2, 2006, Informal Fact-Finding Conference; June 6, 2006, Regulatory Review Committee Meeting; June 8, 2006, Informal Fact-Finding Conference; June 15, 2006, Informal Fact-Finding Conference; June 21, 2006, Informal Fact-Finding Conference; and June 28, 2006, Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Liz Hayes, Fair Housing Administrator, updated the Board on the current Fair Housing case load. No action was taken by the Board.

The Board agreed without dissent to defer the following cases to its next scheduled Board meeting to allow staff to collect additional information:

- **Mary Hill v. Susan Rose, Madeline Merritt, Liz Davidson, and Rose & Womble Realty Co., REB File Number 2006-03562**
- **Jason and Carol Sapp v. Louis Marin, REB File Number 2006-00395**

In the matter of **Shannan Lewis v. Drucker & Falk, LLC, Ann Swenk and Karen Wymer, REB File Number 2006-0389**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Ann Swenk, the respondent, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to close the case with a finding of no cause. The motion passed unanimously. Members voting "Yes" were Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Board Member Nathaniel Brown arrived at 9:27 AM.

Minutes

Fair Housing Administrators Report

Deferred Cases

Shannan Lewis v. Drucker & Falk, LLC, Ann Swenk and Karen Wymer, REB File Number 2006-03894

Arrival of Board Member

In the matter of **Eunice Rose v. Century 21 Nachman Realty, Bob Burch, Cathleen Leggett, Eva Tillem and Vicky Brosam, REB File Number 2006-01710**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. Bert Kelly, Attorney for the respondents, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Eunice Rose v. Century 21 Nachman Realty, Bob Burch, Cathleen Leggett, Eva Tillem and Vicky Brosam, REB File Number 2006-01710

In the matter of **Corey Ogletree v. Sonia Lownsbury and Eudailey Referral Service, REB File Number 2005-00450**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. William and Barbara Eudailey, the respondents, Ed Bishoff, Attorney for Eudailey Referral Service, Sonia Lownsbury, the respondent, and Conrad Shumadine, Attorney for Ms. Lownsbury, were present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Daniels to find no reasonable cause in the matter involving Eudailey Referral Service. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Corey Ogletree v. Sonia Lownsbury and Eudailey Referral Service, REB File Number 2005-00450

A motion was made by Ms. Clarke and seconded by Ms. Daniels to find no reasonable cause against Ms. Lownsbury in the matter of discrimination based on race. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

A motion was made by Ms. Clarke and seconded by Ms. Daniels to find reasonable cause against the Ms. Lownsbury due to discrimination based on familial status. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **Rafael Delrosario v. Pia Parker, REB File Number 2005-02728**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation.. A motion was made by Ms. Daniels and seconded by Ms. Childress to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Rafael Delrosario v. Pia Parker, REB File Number 2005-02728

In the matter of **Jerel and Patricia Edwards v. Long & Foster Real Estate Inc. and Sam Safaeian**, REB File Number 2006-02903, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Daniels and seconded by Ms. Clarke to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Jerel and Patricia
Edwards v. Long &
Foster Real Estate Inc.
and Sam Safaeian, REB
File Number 2006-02903**

In the matter of **Charles Ferebee v. Benjamin Altschul**, REB File Number 2006-03172, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Daniels and seconded by Ms. Clarke to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Charles Ferebee v.
Benjamin Altschul, REB
File Number 2006-03172**

In the matter of **Edward Jones v. Virginia Whitt Barnes, dba Dunny Barnes, Paul DiCicco and Long & Foster Real Estate, Inc.**, REB File Number 2006-03494, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Daniels and seconded by Ms. Childress to close the case with a finding of no reasonable cause. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Edward Jones v.
Virginia Whitt Barnes,
dba Dunny Barnes, Paul
DiCicco and Long &
Foster Real Estate, Inc.,
REB File Number 2006-
03494**

In the matter of **Bernadette Chamberlin v. Felicitas White, Patricia Waddy, Cafritz Company Real Estate Services and Lance K. Ford**, REB File Number 2005-04941, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Clarke and seconded by Ms. Daniels to find no reasonable cause in the matter involving Lance Ford. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Bernadette Chamberlin
v. Felicitas White,
Patricia Waddy, Cafritz
Company Real Estate
Services and Lance K.
Ford, REB File Number
2005-04941**

A motion was made by Ms. Clarke and seconded by Ms. Daniels to find no reasonable cause in the matter of discriminatory terms and conditions against Ms. White, Ms. Waddy, and Cafritz Company Real Estate Services. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

A motion was made by Ms. Clarke and seconded by Ms. Daniels to find reasonable cause against Ms. White, Ms. Waddy, and Cafritz Company Real Estate Services in the matter of discrimination based on reasonable accommodations. The motion passed by majority. Members voting "Yes" were Brown, Clarke, Daniels, Johnson, and Leon. Members voting "No" were Childress, Oglesby, and Taylor

In the matter of **Daryll Johnson v. Motley's Auction Realty Group and Mark Motley, REB File Number 2006-01833**, the Board reviewed the record which consisted of the Final Investigative Report and Case Analysis and Recommendation. A motion was made by Ms. Clarke and seconded by Ms. Daniels to find reasonable cause against the respondents in the matter of retaliation. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Daryll Johnson v.
Motley's Auction Realty
Group and Mark
Motley, REB File
Number 2006-01833**

A motion was made by Ms. Clarke and seconded by Ms. Daniels to defer issuing charges in the previous cause cases for thirty days to allow staff the opportunity to pursue intense conciliation. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Defer Issuing Charges

The Board considered the matter of **Lashi Carroll-Jones and James Simms v. Michael Hunt and Genesis Properties, REB File Number 2006-00440**. A motion was made by Mr. Ms. Clarke and seconded by Ms. Daniels to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

**Lashi Carroll-Jones and
James Simms v. Michael
Hunt and Genesis
Properties, REB File
Number 2006-00440**

The Board considered the matter of **Lesly Bolton v. Stephanie Settle, Sherri Layton, Lori Houston, Steve Boyce, Remington Place Limited Partnership, and S.L. Nausbaum Realty Company, REB File Number 2006-04462**. A motion was made by Ms. Clarke and seconded by Ms. Daniels to approve the terms of the conciliation agreement as agreed to by the parties. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Oglesby, and Taylor.

**Lesly Bolton v.
Stephanie Settle, Sherri
Layton, Lori Houston,
Steve Boyce, Remington
Place Limited
Partnership, and S.L.
Nausbaum Realty
Company, REB File
Number 2006-04462**

Due to a possible conflict of interest, Mr. Leon recused himself from the discussion and votes pertaining to this matter.

A motion was made by Ms. Daniels and seconded by Ms. Clarke to approve the Fair Housing minutes of May 11, 2006. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Mr. Oglesby turned the position of Chair over to Ms. Daniels and recused himself from the meeting.

In the matter of File Number 2006-02842 Margaret Lee, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Margaret Lee, the respondent, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-240 (Count 1) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Taylor and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-185.A (Count 2) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-185.B (Count 3) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Taylor and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-180.B.1.b (Count 4) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to

Fair Housing Minutes

Transfer of Chair

File Number 2006-02842 Margaret Lee

accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$800.00 and license revocation for the violation contained in Count 1. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Mr. Leon and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$1,000.00 and license revocation for the violation contained in Count 2. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$800.00 and license revocation for the violation contained in Count 3. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Clarke and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$1,000.00 and license revocation for the violation contained in Count 4. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or votes related to this matter

In the matter of **File Number 2006-02532 Margaret Lee**, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Margaret Lee, the respondent, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-240 (Count 1) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

File Number 2006-02532
Margaret Lee

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-185.A (Count 2) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-185.B (Count 3) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.10 (Count 4) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-180.A.1 (Count 5) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-180.B.1.a (Count 6) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-180.B.1.b (Count 7) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$800.00 for Count 1, \$1,000.00 for Count 2, \$800.00 for Count 3, \$2,500.00 for Count 4, \$1,500.00 for Count 5, \$500.00 for Count 6, and \$1,000.00 for Count 7, for a total monetary penalty of \$8,100.00. In addition, the Board imposes revocation of Ms. Lee's license for the violations of Count 1 through Count 7. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

As the presiding Board member at the Informal Fact-Finding Conference, Mr. Oglesby did not participate in the discussion or votes related to this matter.

Mr. Oglesby returned to the meeting and resumed the position of Chair.

Transfer of Chair

In the matter of **File Number 2006-02612 Robert Smith**, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. Robert Smith, the respondent, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-02612
Robert Smith

A motion was made by Mr. Leon and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.10 (Count 2) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

A motion was made by Mr. Leon and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-185.C.2 (Count 3) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

A motion was made by Mr. Leon and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$1,000.00 for Count 1, \$1,750.00 for Count 2, and \$1,000.00 for Count 3, for a total monetary penalty of \$3,750.00. In addition, the Board imposes suspension of Mr. Smith's license for a period of one (1) year for the violation of Count 2. The motion passed by majority vote. Members voting "Yes" were Clarke, Daniels, Leon, Oglesby, and Taylor. Members voting "No" were Brown and Childress.

As the presiding Board member at the Informal Fact-Finding Conference, Ms. Johnson did not participate in the discussion or votes related to this matter.

In the matter of File Number 2006-02622 Jessie Elaine Phelps, the Board reviewed the Consent Order as seen and agreed to by Ms. Phelps. Ms. Phelps, the respondent, was present. A motion was made by Ms. Taylor and seconded by Ms. Daniels to accept the Consent Order wherein Ms. Phelps admits to a violation of 18 VAC 135-20-260.11 of the Board's 2004 regulations and Ms. Phelps agrees to a monetary penalty of \$1,500.00 and to pay Board costs in the amount of \$150.00 for a total of \$1,650.00. In addition, Ms. Phelps agrees to complete three (3) hours of continuing education pertaining to Ethics and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within 6 months of the effective date of the Order. Completion of the above referenced continuing education will not count towards any continuing education requirements for renewal of license. The motion passed by majority vote. Members voting "Yes" were Brown, Clarke, Daniels, Leon, Oglesby and Taylor. Member voting "No" was Childress.

File Number 2006-02622
Jessie Elaine Phelps

As the reviewing Board member, Ms. Johnson did not participate in the discussion or vote related to this matter.

In the matter of File Number 2006-04266 Carolsue Lacy, the Board reviewed the Consent Order as seen and agreed to by Ms. Lacy. Ms. Lacy, the respondent, was present. A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the Consent Order wherein Ms. Lacy admits to a violation of 18 VAC 135-20-300.4 of the Board's 2004 regulations and Ms. Lacy agrees to a monetary penalty of \$250.00 and to pay Board costs in the amount of \$150.00 for a total of \$400.00. The motion passed by majority vote. Members voting "Yes" were Brown, Clarke, Johnson, Leon, Oglesby and Taylor. Member

File Number 2006-04266
Carolsue Lacy

voting "No" was Childress.

As the reviewing Board member, Ms. Daniels did not participate in the discussion or vote related to this matter.

The Board recessed from 10:30 AM to 10:44 AM

In the matter of **File Number 2006-04513 Wesley Welder**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. Wesley Welder, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. Welder's application for a real estate broker's license. Mr. Welder has not been actively engaged as a salesperson and/or broker for 36 of the last 48 months preceding application and does not have the transactional experience the board requires of a broker. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clark, Daniels, Johnson, Leon, and Oglesby.

As the presiding Board member at the Informal Fact-Finding Conference, Ms. Taylor did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-04242 Shawn Bolden**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Bolden, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Bolden's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-04243 Lashawn Freeman**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Freeman, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels

Break

File Number 2006-04513
Wesley Welder

File Number 2006-04242
Shawn Bolden

File Number 2006-04243
Lashawn Freeman

and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Freeman's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-04350 Michael Harvey**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Harvey, the applicant, and Robert Sullivan, Broker, were present and addressed the Board. A motion was made by Ms. Clarke and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54 1-204 B of the Code of Virginia, approve Mr. Harvey's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor

File Number 2006-04350
Michael Harvey

In the matter of **File Number 2006-04375 Keith Wright**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Wright, the applicant, was present and addressed the Board. A motion was made by Ms. Taylor and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Wright's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04375
Keith Wright

In the matter of **File Number 2006-04351 Michael Barbine**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Barbine, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, deny Mr. Barbine's application for a real estate salesperson's

File Number 2006-04351
Michael Barbine

license. It does not appear to the Board that Mr. Barbine is successfully rehabilitated from engaging in conduct which demonstrates a lack of character or integrity. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-04554 Garry Lee Shaw**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Shaw, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Shaw's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04554
Garry Lee Shaw

In the matter of **File Number 2006-04700 Robert Steinacker**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Steinacker, the applicant, was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Steinacker's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04700
Robert Steinacker

In the matter of **File Number 2006-04702 David Burgess**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Burgess, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. Burgess' application for a real estate salesperson's license subject to an Agreement for Licensure for a period of two years whereby Mr. Burgess and his Principal Broker report

File Number 2006-04702
David Burgess

quarterly The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of File Number 2006-04845 Rudolph Harris, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr Harris, the applicant, was present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204 B of the Code of Virginia, approve Mr. Harris' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04845
Rudolph Harris

In the matter of File Number 2006-04518 Teresa McDowell, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. McDowell, the applicant, was present and addressed the Board. A motion was made by Mr. Leon and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. McDowell's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04518
Teresa McDowell

In the matter of File Number 2006-04510 Karen Motley, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms Motley, the applicant, and Robert Middleton, Broker, were present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Childress to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04510
Karen Motley

A motion was made by Ms. Daniels and seconded by Ms. Childress to approve Ms. Motley's application for a real estate salesperson's license,

based on the criteria contained in § 54.1-204 B of the Code of Virginia, subject to an Agreement for Licensure for a period of two (2) years where both she and her Broker will provide quarterly reports to the Board. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-04509 Heather Ford**, the Board reviewed the record which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Ford, the applicant was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Taylor to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, to approve Ms. Ford's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04509
Heather Ford

In the matter of **File Number 2006-04934 Pamela Jenkins**, the Board reviewed the record which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Jenkins, the applicant was present and addressed the Board. A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, to approve Ms. Jenkins' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04934
Pamela Jenkins

In the matter of **File Number 2006-04701 Robert Phillips**, the Board reviewed the record which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Mr. Phillips, the applicant was present and addressed the Board. A motion was made by Mr. Leon and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve Mr. Phillips' application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04701
Robert Phillips

In the matter of **File Number 2006-04376 Cathy Bounds**, the Board reviewed the record which consisted of the application file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. Ms. Bounds, the applicant, William Shumate, Attorney for the applicant, and Carol Curran, friend of the applicant, were present and addressed the Board. A motion was made by Ms. Daniels and seconded by Ms. Childress to reject the recommendation contained in the Summary of the Informal Fact-Finding Conference to deny Ms. Bounds' application for a real estate salesperson's license. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Daniels, Johnson, Leon, and Oglesby. Members voting "No" were Clarke and Taylor.

A motion was made by Ms. Daniels and seconded by Mr. Leon to approve Ms. Bound's application for a real estate salesperson's license after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia. Subject to an Agreement for Licensure for a period of four (4) years where Ms. Bounds and her broker will provide monthly reports to the Board. In addition, Ms. Bounds' counselor will provide quarterly reports to the Board. The motion passed by majority vote. Members voting "Yes" were Brown, Childress, Daniels, Johnson, Leon, Oglesby, and Taylor. Member voting "No" was Clarke

The Board discussed the William Carter v. Real Estate Board appeal. Melissa Connor, Attorney for Mr. Carter and William Carter, addressed the Board. Ms. Connor requested that the Board enter into a settlement agreement. A motion was made by Ms. Taylor and seconded by Ms. Daniels to reject any settlement offers and to continue with the appeal. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Mr. Oglesby turned the position of Chair over to Ms. Daniels and recused himself from the meeting

In the matter of **File Number 2006-03416 Mark Adam Andrews**, the Board reviewed the Consent Order as seen and agreed to by Mr. Andrews. A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the Consent Order wherein Mr. Andrews admits to a violation of 18 VAC 135-20-260.5 of the Board's 2004 Regulations and agrees to be placed on probation for a period of three (3) years beginning with the effective date of this order. During this three (3) year probation period, Andrews and his principal broker agree to

File Number 2006-04376
Cathy Bounds

Old Business

Transfer of Chair

File Number 2006-03416
Mark Adam Andrews

Report to the Board on a quarterly basis that he is in compliance with the rules and regulations of the Board and not abusing drugs. If Andrews violates any terms of this probation, his license may be revoked, pending Board review. Andrews also agrees to reimburse the Board \$150 in Board costs. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Taylor.

As the reviewing Board member, Mr. Oglesby did not participate in the discussion or vote related to this matter

In the matter of File Number 2006-01377 John Hanna, the Board reviewed the record which consisted of the disciplinary file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board member. A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-260.1 (Count 1) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-01377
John Hanna

A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-240 (Count 2) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

A motion was made by Ms. Childress and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of § 54.1-2135.A.5 of the *Code of Virginia* (Count 3). The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and find a violation of 18 VAC 135-20-250 (Count 4) of the Board's 2003 regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

A motion was made by Ms. Clarke and seconded by Mr. Leon to accept the recommendations contained in the Summary of the Informal Fact-Finding Conference and impose a monetary penalty of \$1,000.00 for Count 1, \$1,000.00 for Count 2, \$1,000.00 for Count 3, and \$1,500.00 for Count 4, for a total monetary penalty of \$4,500.00. In addition, the Board imposes revocation of Mr. Hanna's license for the violations of Count 1 through Count 4. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

As the presiding Board member at the Informal Fact-Finding Conference, Ms. Johnson did not participate in the discussion or votes related to this matter.

In the matter of **File Number 2006-01797 Darryl Drummond, Sr.**, the Board reviewed the Consent Order as seen and agreed to by Mr. Drummond. A motion was made by Ms. Daniels and seconded by Ms. Taylor to accept the Consent Order wherein Mr. Drummond admits to a violation of §54.1-2132.A.4 of the *Code of Virginia* (Count 1), and 18 VAC 135-20-260.10 (Count 2), and 18 VAC 135-20-260.11 (Count 3) of the Board's 2004 Regulations. For these violations, Mr. Drummond agrees to a monetary penalty of \$500.00 for the violation contained in Count 1, \$2,500.00 for the violation contained in Count 2, and \$2,500.00 for the violation contained in Count 3 as well as \$150.00 in Board costs for a total of \$5,650.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-01797
Darryl Drummond, Sr.

As the reviewing Board Member, Ms. Johnson did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-02507 George Warriner**, the Board reviewed the Consent Order as seen and agreed to by Mr. Warriner. A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the Consent Order wherein Mr. Warriner admits to a violation of 18 VAC 135-20-260.5 of the Board's 2004 Regulations and agrees to pay Board costs in the amount of \$150. In addition, for the violation, Mr. Warriner agrees to submit to the Board, on a quarterly basis, a statement from his principal broker, confirming that Warriner is in compliance with the rules and regulations of the Board. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-02507
George Warriner

As the reviewing Board Member, Ms. Johnson did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-04096 Aster Demissie**, the Board reviewed the Consent Order as seen and agreed to by Ms. Demissie. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the Consent Order wherein Ms. Demissie admits to a violation of § 54.1-2135.A.1 of the *Code of Virginia* and agrees to a monetary penalty of \$250.00 for the violation and \$150.00 in Board costs for a total of \$400.00. In addition, for the violation, Ms. Demissie agrees to complete two (2) hours of continuing education pertaining to property management and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of this order. It is acknowledged that satisfactory completion of the above-referenced continuing education hours will not count towards any continuing education requirements for the renewal of Ms. Demissie's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Leon, Oglesby, and Taylor.

File Number 2006-04096
Aster Demissie

As the reviewing Board Member, Ms. Johnson did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-02170 Donald Snead**, the Board reviewed the Consent Order as seen and agreed to by Mr. Snead. A motion was made by Ms. Clarke and seconded by Ms. Taylor to accept the Consent Order wherein Mr. Snead admits to a violation of 18 VAC 135-20-180.B.1.a of the Board's 2004 Regulations and agrees to a monetary penalty of \$750.00 for the violation and \$150.00 in Board costs for a total of \$900.00. The motion passed by majority vote. Members voting "Yes" were Childress, Clarke, Leon, Oglesby, and Taylor. Member voting "No" was Brown.

File Number 2006-02170
Donald Snead

Due to a possible conflict of interest, Ms. Johnson recused herself from the discussion and votes pertaining to this matter. As the reviewing Board Member, Ms. Daniels did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-04401 Donna Russell**, the Board reviewed the Consent Order as seen and agreed to by Ms. Russell. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the Consent Order wherein Ms. Russell admits to a violation of 18 VAC 135-20-260.8 of the Board's 2004 Regulations and agrees to a

File Number 2006-04401
Donna Russell

monetary penalty of \$500.00 for the violation and \$150.00 in Board costs for a total of \$650.00. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Oglesby, and Taylor.

As the reviewing Board Member, Mr. Leon did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-01739 Joy King**, the Board reviewed the Consent Order as seen and agreed to by Ms. King. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the Consent Order wherein Ms. King admits to a violation of 18 VAC 135-20-260.5 of the Board's 2004 Regulations. After continued discussion Ms. Daniels withdrew the previous motion.

File Number 2006-01739
Joy King

A motion was made by Ms. Childress and seconded by Ms. Clarke to reject the proposed Consent Order and re-offer the Consent Order wherein Ms. King admits to a violation of 18 VAC 135-20-260.5 of the Board's 2004 Regulations and agrees to a monetary penalty of \$300.00 for the violation and \$150.00 in Board costs for a total of \$450.00. In addition, for the violation, Ms. King agrees to complete eight (8) hours of continuing education pertaining to ethics and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of this order. If Ms. King does not accept the Consent Order within two (2) weeks, an Informal Fact-Finding Conference will be scheduled. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Oglesby, and Taylor.

As the reviewing Board Member, Mr. Leon did not participate in the discussion or vote related to this matter.

In the matter of **File Number 2006-03821 Rajwant Virk**, the Board reviewed the Consent Order as seen and agreed to by Mr. Virk. A motion was made by Ms. Daniels and seconded by Ms. Johnson to accept the Consent Order wherein Mr. Virk admits to a violation of 18 VAC 135-20-260.5 of the Board's 2004 Regulations and agrees to pay \$150.00 in Board costs. In addition, for the violation, Mr. Virk agrees to enter into an Agreement for Licensure requiring quarterly reporting to the Board for a period of two (2) years. Mr. Virk agrees to provide information verifying that he is in compliance with the rules and regulations of the Board; that he has had no complaints against him or engaged in improper activity; no lawsuits; that he has not violated any

File Number 2006-03821
Rajwant Virk

local, state or federal laws; and that he has remained actively engaged in Real Estate. Mr. Virk also agrees to submit a statement signed by his broker, verifying the information submitted. The motion passed by majority vote. Members voting "Yes" were Daniels, Johnson, Leon, Oglesby, and Taylor. Members voting "No" were Brown, Childress, and Clarke.

In the matter of **File Number 2006-04124 Charles McMullin**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding Board Member. A motion was made by Ms. Daniels and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny Mr. McMullin's application for a real estate broker's license due to the lack of transactional experience the Board requires of its brokers. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, and Oglesby.

File Number 2006-04124
Charles McMullin

As the presiding Board member at the Informal Fact-Finding Conference, Ms. Taylor did not participate in the discussion or vote related to this matter

In the matter of **File Number 2006-04241 Michelle Boyle**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Boyle's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04241
Michelle Boyle

In the matter of **File Number 2006-04349 Michael White**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Mr. White's application for a real estate

File Number 2006-04349
Michael White

salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-04348 Brandi Battle**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Battle's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04348
Brandi Battle

In the matter of **File Number 2006-04703 Shanda Walston**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Walston's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04703
Shanda Walston

In the matter of **File Number 2006-04846 Sharon Anderson**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference of the presiding officer. A motion was made by Ms. Daniels and seconded by Ms. Johnson to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Anderson's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-04846
Sharon Anderson

In the matter of **File Number 2006-04511 Brenda Hogge**, the Board reviewed the record which consisted of the application file, transcript and exhibits, and the Summary of the Informal Fact-Finding

File Number 2006-04511
Brenda Hogge

Conference of the presiding officer A motion was made by Ms. Johnson and seconded by Ms. Clarke to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and, after consideration of the criteria contained in § 54.1-204.B of the Code of Virginia, approve Ms. Hogge's application for a real estate salesperson's license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of **File Number 2006-03199 Travoris Carnes**, the Board reviewed the Consent Order as seen and agreed to by Mr. Carnes. A motion was made by Ms. Daniels and seconded by Mr. Leon to accept the Consent Order wherein Mr. Carnes admits to a violation of 18 VAC 135-20-310.2 of the Board's 2004 Regulations and agrees to a monetary penalty of \$600.00 for the violation and \$150.00 in Board costs for a total of \$750.00. In addition, for the violation, Mr. Carnes agrees to complete two (2) hours of continuing education pertaining to escrow accounts and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of this Order. Satisfactory completion of the above-referenced continuing education hours will not count towards an continuing education requirements for the renewal of Mr. Carnes' license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-03199
Travoris Carnes

In the matter of **File Number 2006-02030 Lisa Renee Sanders**, the Board reviewed the Consent Order as seen and agreed to by Mr. Carnes. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the Consent Order wherein Ms. Sanders admits to a violation of 18 VAC 135-20-180.B.1.a (Count 1) and 18 VAC 135-20-310.2 (Count 3) of the Board's 2004 Regulations and § 54.1-2132.A.2.b of the *Code of Virginia*. For these violations, Ms. Sanders agrees to a monetary penalty of \$300.00 for the violation contained in Count 1, \$500.00 for the violation contained in Count 2, and \$500.00 for the violation contained in Count 3 as well as \$150.00 in Board costs for a total of \$1,450.00. In addition, for the violation of Count 2, Ms. Sanders agrees to complete four (4) hours of continuing education pertaining to contracts and/or other equivalent course approved by the Board and provide proof of attendance and successful completion within six (6) months of the effective date of this Order. Satisfactory completion of the above-referenced continuing education hours will not count towards an continuing education requirements for the renewal of

File Number 2006-02030
Lisa Renee Sanders

Mr. Sanders' license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

In the matter of File Number 2006-02202 Marilyn Wallace, the Board reviewed the Consent Order as seen and agreed to by Ms. Wallace. A motion was made by Ms. Johnson and seconded by Mr. Leon to accept the Consent Order wherein Ms. Wallace admits to a violation of 18 VAC 135-20-210.B of the Board's 2004 Regulations and agrees to revocation of her license. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-02202
Marilyn Wallace

In the matter of File Number 2006-03199 Travoris Carnes, the Board reviewed the Consent Order as seen and agreed to by Mr. Brown. A motion was made by Ms. Daniels and seconded by Ms. Johnson to accept the Consent Order wherein Mr. Brown admits to a violation of 18 VAC 135-20-260.5 of the Board's 2004 Regulations and agrees to pay \$150.00 in Board costs. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

File Number 2006-03895
Noel Warren Brown

Tom Perry discussed the Notice of Intended Regulatory Action (NOIRA) for the Common Interest Community Management Information Fund Regulations. Mr. Perry discussed the public comments received for the NOIRA and the proposed responses from the Board. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the proposed responses to the public comments. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Proposed Regulations

A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the proposed Common Interest Community Management Information Fund Regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Ms. Martine discussed the new disclosure/disclaimer statements. A motion was made by Ms. Clarke and seconded by Ms. Johnson to accept the new disclosure/disclaimer statements as amended. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Disclosure/Disclaimer
Statements

Ms. Johnson volunteered to sit on the Examination RFP Committee to review proposals received by DPOR. No action was taken by the Board.

Examination RFP

The Board discussed the Notice of Intended Regulatory Action (NOIRA) for the Real Estate regulations. Ms. Martine discussed the public comment received by the Board and the proposed response to the comment. A motion was made by Ms. Johnson and seconded by Ms. Daniels to accept the proposed response to the public comment. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Proposed Regulations

A motion was made by Ms. Clarke and seconded by Ms. Daniels to accept the proposed Real Estate Board regulations. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Ms. Johnson gave the Education Committee Report. A motion was made by Ms. Daniels and seconded by Ms. Childress to accept the July 12, 2006, Education Committee Report. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Education Committee Report


A motion was made by Ms. Clarke and seconded by Ms. Daniels to establish a policy that requires the election of officers to occur at the Board meeting in July or at the first meeting after appointments have been made by the Governor. The motion passed unanimously. Members voting "Yes" were Brown, Childress, Clarke, Daniels, Johnson, Leon, Oglesby, and Taylor.

Election of Officers

There being no further business, the Board adjourned at 2:15 PM.

Adjourn


R. Schaefer Oglesby, Chairman


Jay DeBoer, Secretary

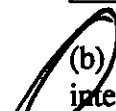
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: R. Schaefer Oglesby
2. Title: Chairman - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b)  I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: July 13, 2006

Signature: 

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

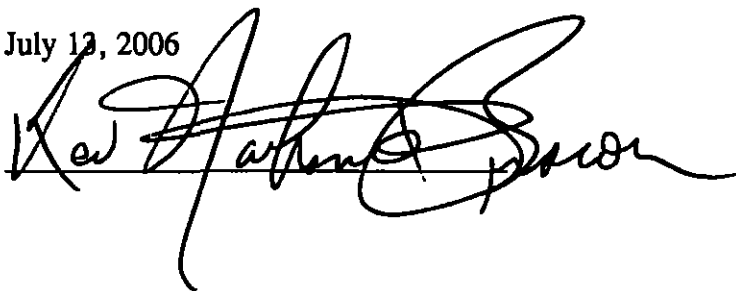
- 1 Name: Nathaniel Brown
- 2 Title: Member - Virginia Real Estate Board
3. Agency. Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

- 6 I declare that:
- (a) I am a member of the following business, profession, occupation, or group, the
 members of which are affected by the transaction: _____

- (b) I am able to participate in this transaction fairly, objectively, and in the public
 interest.

Dated: July 13, 2006

Signature: _____



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name. Judith L. Childress
2. Title: Member- Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction. Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

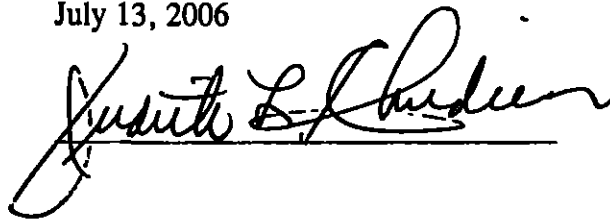
6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: July 13, 2006

Signature. _____



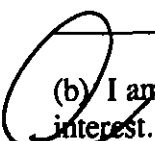
**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Carol F. Clarke
2. Title: Member – Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b)  I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated. July 13, 2006

Signature: Carol F. Clarke

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

- 1 Name: Florence Daniels
- 2 Title: Vice Chairman - Virginia Real Estate Board
- 3 Agency: Department of Professional and Occupational Regulation
- 4 Transaction: Board Meeting
- 5 Nature of Personal Interest Affected by Transaction: _____

- 6 I declare that:
- (a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

- ☒ (b) I am able to participate in this transaction fairly, objectively, and in the public interest

Dated: July 13, 2006

Signature: Florence Daniels

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTEREST ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name. Sharon Johnson
2. Title. Presiding Board Member
3. Agency: Real Estate
4. Transaction: Informal Fact-Finding Conferences on July 12, 2006
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction.


(b) I am able to participate in this transaction fairly, objectively, and in the public interest


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Miles B. Leon
2. Title: Member - Virginia Real Estate Board
3. Agency: Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction. 

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated. July 13, 2006

Signature. _____



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT

1. Name: Byrl Phillips Taylor
2. Title: Member- Virginia Real Estate Board
3. Agency. Department of Professional and Occupational Regulation
4. Transaction: Board Meeting
5. Nature of Personal Interest Affected by Transaction. _____

6. I declare that:

(a) I am a member of the following business, profession, occupation, or group, the members of which are affected by the transaction: _____

(b) I am able to participate in this transaction fairly, objectively, and in the public interest.

Dated: July 13, 2006

Signature: 